

10 STANDARDS OF PROFESSIONAL CONDUCT FOR EDUCATORS
Public Law 32-236, Section 3

4.0 Standards of Professional Conduct

The Standards of Professional Conduct are set forth as follows:

- 4.01 **Standard I: Legal Compliance** – An educator shall abide by all federal and Guam laws and statutes. Unethical conduct includes but is not limited to the commission or conviction of a felony or of any crime involving moral turpitude; of any other criminal offense involving the manufacture, distribution, trafficking, sale or possession of a controlled substance, illegal or unauthorized drugs or any other laws applicable to the profession.
- 4.02 **Standard 2: Conduct with Students** – An educator shall always maintain a professional relationship with all students, both in and outside the classroom. Unethical conduct includes ~~but is not limited to:~~
- 4.02.1 Committing any act of child abuse;
 - 4.02.2 Committing any act of child endangerment;
 - 4.02.3 Committing any sexual act with a student or soliciting such from a student;
 - 4.02.4 Engaging in or permitting harassment of or misconduct toward a student that would violate a federal or Guam law;
 - 4.02.5 Soliciting, encouraging, or consummating an inappropriate written, verbal, electronic, or physical relationship with a student;
 - 4.02.6 Furnishing tobacco, alcohol, or illegal/unauthorized drugs to any student; or
 - 4.02.7 Failing to prevent the use of alcohol or illegal or unauthorized drugs by students who are under the educator's supervision, including ~~but not limited~~ school grounds, school functions to and the educator's residence ~~or any other setting~~.
- 4.03 **Standard 3: Alcohol or Drugs** - An educator shall refrain from the use of alcohol or illegal or unauthorized drugs during the course of professional practice. Unethical conduct includes ~~but is not limited to:~~
- 4.03.1 Being on school premises or at a school-related activity while under the influence of, possessing, using, or consuming illegal or unauthorized drugs; and
 - 4.03.2 Being on school premises or at a school-related activity involving students while under the influence of, possessing, or consuming alcohol. A school-related activity includes, but is not limited to, any activity sponsored by the school or school system (booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum, off-island trips).
- 4.04 **Standard 4: Honesty** - An educator shall exemplify honesty and integrity in the course of professional practice. Unethical conduct includes ~~but is not limited to,~~ falsifying, misrepresenting or intentionally omitting:
- 4.04.1 Professional qualifications, criminal history, college or staff development credit and/or degrees, academic award, and employment history;

- 4.04.2 Information submitted to federal, the Guam Department of Education, DODEA (U.S. Department of Defense Education Activity), other governmental agencies and Guam private and charter schools;
 - 4.04.3 Information regarding the evaluation of students and/or personnel;
 - 4.04.4 Reasons for absences or leaves;
 - 4.04.5 Information submitted in the course of an official inquiry/investigation; and,
 - 4.04.6 Information submitted in the course of professional practice.
- 4.05 **Standard 5: Public Funds and Property** - An educator entrusted with public funds and property shall honor that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes ~~but is not limited to~~ knowingly and intentionally:
- 4.05.1 Misusing public or school-related funds;
 - 4.05.2 Failing to account for funds collected from students or parents;
 - 4.05.3 Submitting fraudulent requests or documentation for reimbursement of expenses or for pay (including fraudulent or purchased degrees, documents, or coursework);
 - 4.05.4 Co-mingling public or school-related funds with personal funds or checking accounts; and
 - 4.05.5 Using school property without the approval of school authorities or authorized designee.
- 4.06 **Standard 6: Remunerative Conduct** - An educator shall maintain integrity with students, colleagues, parents, patrons, or businesses when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes ~~but is not limited to~~:
- 4.06.1 Soliciting students or parents of students to purchase equipment, supplies, or services from the educator or to participate in activities that financially benefit the educator unless approved by school authorities or authorized designee;
 - 4.06.2 Accepting gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest;
 - 4.06.3 Tutoring students assigned to the educator for remuneration unless approved by the school authority or authorized designee; and
 - 4.06.4 Coaching, instructing, promoting athletic camps, summer leagues, that involve students in an educator's school system and from whom the educator receives remuneration unless approved by school authorities or authorized designee.
 - 4.06.5 Conduct prohibited by Title 4 G.C.A. §15201, §15203, §15204, §15205, §15206.
- 4.07 **Standard 7: Confidential Information** - An educator shall comply with Guam and federal laws and school board policies relating to the confidentiality of student and

personnel records, standardized test material and other information. Unethical conduct includes ~~but is not limited to~~:

- 4.07.1 Sharing of confidential information concerning student academic and disciplinary records, health and medical information, family status and/or income, and assessment/testing results unless disclosure is required or permitted by law;
- 4.07.2 Sharing of confidential information restricted by Guam or federal law;
- 4.07.3 Violation of confidentiality agreements related to standardized testing including copying or teaching identified test items, publishing or distributing test items or answers, discussing test items, violating local school system or directions for the use of tests or test items; and
- 4.07.4 Violation of other confidentiality agreements required by Guam.

4.08 **Standard 8: Required Reports** - An educator shall file reports of a breach of one or more of the Standards of Professional Conduct for Educators, child abuse or any other required report. Unethical conduct includes ~~but is not limited to~~:

- 4.08.1 Failure to report all requested information on documents required by the Commission when applying for or renewing any certificate with the Commission;
- 4.08.2 Failure to make a required report of a violation of one or more Standards of Professional Conduct for educators of which they have personal knowledge as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner; and
- 4.08.3 Failure to make a required report of any violation of Guam or federal law as soon as possible but no later than ninety (90) days from the date the educator became aware of an alleged breach unless the law or local procedures require reporting sooner. These reports include but are not limited to: murder; voluntary manslaughter; aggravated assault; aggravated battery; kidnapping; any sexual offense; any sexual exploitation of a minor; any offense involving a controlled substance, illegal, or unauthorized drugs; and any abuse of a student if an educator has reasonable cause to believe that a student has been abused.

4.09 **Standard 9: Professional Conduct** - An educator shall demonstrate conduct that follows generally recognized professional standards and preserves the dignity and integrity of the teaching profession. Unethical conduct includes ~~but is not limited to~~

- 4.09.1 Any behavior or conduct detrimental to the health, welfare, discipline, or morals of students;
- 4.09.2 Any conduct that impairs and/or diminishes the certificate holder's ability to function professionally in his or her employment position;
- 4.09.3 Knowingly and intentionally denying or impeding a colleague in the exercise or enjoyment of a professional right or privilege in being an educator;

- 4.09.4 Knowingly and intentionally distorting evaluations of colleagues;
 - 4.09.5 Harassing, sexually harassing, intimidating, bullying and cyber-bullying a fellow employee;
 - 4.09.6 Using coercive means or promising special treatment to influence professional decisions of colleagues; or
 - 4.09.7 Threatening, coercing, or discriminating against a colleague who in good faith reports or discloses to a governing agency actual or suspected violations of law, regulations or standards.
- 4.10 **Standard 10: Testing** - An educator shall administer Guam mandated assessments fairly and ethically. Unethical conduct includes ~~but is not limited to:~~
- 4.10.1 Committing any act that breaches Test Security; and
 - 4.10.2 Compromising the integrity of the assessment.